

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Tchernev, et al.

SERIAL NUMBER: 10/072,012

EXAMINER: Sarae L. Bausch, Ph.D.

FILING DATE: January 31, 2002

ART UNIT: 1634

FOR: PROTEINS AND NUCLEIC ACIDS ENCODING SAME

## MAIL STOP SEQUENCE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450February 20, 2007  
Boston, Massachusetts

## TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

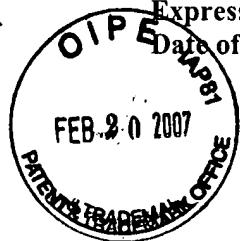
1. Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (1 pg.);
2. Response to Notice to Comply (1 pg.);
3. Sequence Listing – paper copy (2 CDs Copy 1 and Copy 2, which are identical, filed under 37 CFR § 1.821(c));  
  
Machine format: IBM-PC  
Operating system compatibility: MS-DOS  
File name: Cura 558 US Seq List.txt  
Size: 3.05 MB  
Date Created: February 15, 2007
4. Statement in Support of Computer Readable Form (1 pg.);
5. Sequence Listing, Computer Readable Form (1 CD);  
  
Machine format: IBM-PC  
Operating system compatibility: MS-DOS  
File name: Cura 558 US Seq List.txt  
Size: 3.05 MB  
Date Created: February 15, 2007
6. Preliminary Amendment (3 pgs.);
7. Petition for One-Month Extension of Time (1 page);
8. Check No. 23826 in the amount of \$60.00 to cover the extension fee; and
9. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts. A duplicate copy of this transmittal letter is enclosed.

The Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311, Ref. No. 21402-258 (Cura 558).

Respectfully submitted,

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Ivor R. Elrifi, Reg. No. 39,529  
*f* Attorney for Applicants  
c/o MINTZ, LEVIN  
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Date of Deposit: February 20, 2007

Attorney Docket No. 21402-258 (Cura 558)

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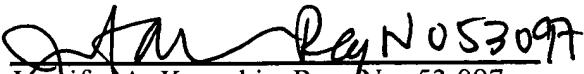
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

February 20, 2007  
Boston, Massachusetts

**STATEMENT IN SUPPORT**

I hereby state that the content of the paper and computer readable forms of the Sequence Listing, submitted in the above-identified application in accordance with 37 C.F.R. § 1.821(c) and 1.821(e), respectively, are the same. The sequence listing is supported by the specification and references incorporated therein. Therefore, no new matter is added at this time.

Respectfully submitted,

  
Jennifer A. Karnakis, Reg. No. 53,097  
Attorney for Applicants  
c/o MINTZ, LEVIN  
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Customer No. 55111



## Notice to Comply

Application No.  
10/072012Applicant(s)  
TCHERNEV ET AL..Examiner  
Sarae BauschArt Unit  
1634

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set in the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: The sequences listed on page 232 and 671 of the amendment filed 11/22/2006 contain sequences that are not listed on the CRF and sequence listing. Specifically SEQ ID No. 1392-1394 are not included in the sequence listing.

#### Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (571) 272-2510

For CRF Submission Help, call (571) 272-2501/2583.

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